

ROSENBERG FORTUNA & LAITMAN[®] LLP

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March 30, 2015

VIA ECF

Magistrate Judge Gary R. Brown
United States District Court for the
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

**Re: Lyle P. Silver, *et al.* v. Selwyn Karp, *et al.*
United States District Court for the Eastern District of New York
Civil Action No. 14-cv-05226-(DRH)(GB)**

Dear Magistrate Judge Brown:

As the Court may recall, this office represents the defendants and third-party plaintiff in the above referenced action.

I am pleased to report that counsel for the parties met and conferred with respect to a discovery plan in this action and have agreed upon a discovery schedule. That agreement is reflected in the attached Discovery Plan Worksheet pursuant to your Honor's individual rules. Counsel for both parties respectfully request that the Court either so-order the attached Discovery Plan Worksheet or issue a Scheduling Order which embodies the dates agreed upon in the attached Discovery Plan.

In light of counsels' agreement with respect to a plan for discovery, and in light of the illness of defendant and third-party plaintiff Selwyn Karp, which has required his hospitalization, the parties jointly request that the conference currently scheduled for April 2, 2015 be adjourned to April 23, 2015 at 10:30 a.m., or as soon thereafter as the Court may hear the parties. The brief adjournment will allow Mr. Karp to recuperate and also permit the parties to determine whether they will need the Court's intervention to narrow or resolve any issues in dispute or to simply proceed with the discovery plan as agreed upon.

ROSENBERG FORTUNA & LAITMAN-LLP

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On behalf of counsel for both parties, we thank the Court for its consideration of this request.

Respectfully submitted,



ANTHONY R. FILOSA

ARF:dmg

Enclosure

cc: Dickstein Shapiro LLP (via ECF)
Attention: Jeffrey Mitchell, Esq.
Dickstein Shapiro LLP (via ECF)
Attention: Colleen Kilfoyle, Esq.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
LYLE SILVER, an individual and DAVID SILVER,
an individual,

Plaintiffs,

-against-

SELWYN KARP; BETH E. KARP; JEFFREY KARP;
BETH KARP & LYLE SILVER PARTNERSHIP; and
JEFFREY KARP; BETH KARP & DAVID SILVER
PARTNERSHIP,

Defendants.

-----X
-----X
SELWYN KARP,

Third-Party Plaintiff,

-against-

SCOTT SILVER,

Third-Party Defendant,

STEPHEN SILVER,

Additional Counterclaim
Plaintiff.

-----X

**DISCOVERY PLAN
WORKSHEET**

Civil Action No.
14-CV-5226 (DRH) (GRB)

Civil Action No.
14-CV-5226 (DRH) (GRB)

Phase I (Pre-Settlement Discovery)

Deadline for completion of Rule 26(a) initial disclosures
and HIPAA-complaint records authorizations:

May 29, 2015

Completion date for Phase I Discovery
as agreed upon by the parties

May 29, 2015

Phase II Discovery and Motion Practice

Motion to join new parties or amend the pleadings:

July 31, 2015

First requests for production of documents
and for interrogatories due by:

May 18, 2015

Responses to requests for production of documents
and interrogatories:

June 30, 2015

All fact discovery completed by:

October 16, 2015

Exchange or expert reports completed by:

November 16, 2015

Expert depositions completed by:

December 31, 2015

COMPLETION OF ALL DISCOVERY BY:

January 15, 2016